IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9349 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE R.R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

HIRABHAI AMRABHAI DAMOR

Versus

STATE OF GUJARAT

Appearance:

MR BM MANGUKIYA for Petitioner

NOTICE SERVED for Respondent No. 1, 3

MR SP HASURKAR for Respondent No. 2

CORAM : MR.JUSTICE R.R.TRIPATHI

Date of decision: 28/03/2000

ORAL JUDGEMENT

#. Miss. B.A.Prajapati, for Mr.B.M.Mangukiya, for the petitioner. Mr.Hasurkar, learned Additional G.P. for the respondent, Mr.Digant Joshi, for Mr.Hasurkar.

#. Rule. Mr.Digant Joshi, learned A.G.P. for Mr.Hasurkar waives service of rule. With the consent of the parties today the matter is taken up for final disposal.

#. The petition is filed seeking quashing of the impugned order of termination dtd.29.7.1999. The impugned order is at Annexure-C Page -18. By the order in question the service of the petitioner came to be terminated under the provision of Rule 89(1)(B)(C) and salary for seven days as notice pay was paid to the petitioner. It is pointed out by the learned advocate for the petitioner that an appeal was filed against the said order of termination which is at Annexure-B dated August, 1999. It is also the case of the petitioner that the said appeal is not decided by the authority. Looking to the facts and circumstances of the case, it will be in the interest of justice if the respondents are directed to decide the said appeal within a period of eight weeks. The respondent shall decide the said appeal within eight weeks after the certified copy of the order is produced before the authority. The authority shall also communicate the decision on the appeal to the petitioner.

#. With the aforesaid direction this petition stands disposed of as no order as to costs. Rule discharged. Direct Service is permitted.

kks